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EXAMINER WANG, KENT F				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/506,368

**Applicant(s)**

MANASSEH ET AL.

**Examiner**

KENT WANG

**Art Unit**

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 July 2010.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-38 and 40-60 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-38 and 40-60 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO/GS/US)  
4) ☐ Interview Summary (PTO-413)  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_  
Paper No(s)/Mail Date \_\_\_\_\_

**DETAILED ACTION**

1. Claims 1-38 and 40-60 are pending.

***Response to Argument***

2. Applicant's arguments with respect to independent claims 1, 23, and 43 and dependent claims 2-22, 24-38, 40-42 and 44-60 have been considered but are moot in view of the interpretation of the original cited references.
3. Regarding claims 1, 23 and 43, applicant argues that Brooks does not teach capturing the full audio, video and data of interaction. In response to applicant's argument, it is noted that Brooks discloses "The station can include a booth or enclosure having one or more security sensors including a camera for capturing facial images and data for facial recognition processing, an audio transducer for capturing a person's speech data for use in speech recognition profiling and a retinal scanner for capturing retinal data for use in retinal scanning identification" ([0042]). Clearly, the interactions are interpreted to be all of the fingerprint, voice, facial, and retinal interactions. Thus, the Examiner respectfully disagrees that Brooks does not teach capturing the full audio, video and data of interaction because if you are capturing all of the interactions at each station completely, then you are capturing the full interaction.
4. Regarding claim 3, the applicant argues that the reference only teaches comparing two images, not the full video, audio, and data of the interactions. The Examiner respectfully

disagrees. In response to applicant's argument, it is noted that the Brooks reference compares the full audio, video and data interactions, not Gutta.

5. Additionally applicant argues that the combination of Brooks and Gutta neither discloses nor suggests a screen capture device as provided by claims 46 and 54. The Examiner respectfully disagrees. It is noted that the Brooks reference discloses the system includes a personal identification screening station where personal identification and attribute data and information from each person can be obtained, and the station can further include a booth or enclosure having one or more security sensors including, but not limited to a fingerprint scanner for capturing fingerprint data, a camera for capturing facial images and data for facial recognition processing, an audio transducer for capturing a person's speech data for use in speech recognition profiling and a retinal scanner for capturing retinal data for use in retinal scanning identification ([0042]). Clearly, the screen station is interpreted to be a screening capture station.
6. In response to applicant's argument regarding claim 53 that "Simultaneous" is different from "Synchronization". The examiner understands the applicant's arguments but respectfully disagrees with the applicant's assessment. In response to applicant's argument, it is noted that the *Dictionary.com* discloses that "Simultaneous" and "Synchronous" are synonyms.
7. The applicant argues that Houvener does not provide an assurance device for analyzing said quality, as in claims 20-22, 33, 41 and 47. The examiner understands the applicant's arguments but respectfully disagrees with the applicant's assessment. In response to applicant's argument, it is noted that Houvener discloses "provides high quality data capture

and screening by leveraging the interaction between screening personnel, i.e. an agent and people being screened, i.e. a traveler.” (Col. 6, lines 5-12, Houvenner)

8. With respect to dependent claims, 48, 49, 56, 59, 57, 60 and others, the examiner believes his office action of 05/13/2010 is proper and accurate. Applicant's arguments are not convincing.

***Claim Rejections - 35 USC § 103***

9. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
10. Claims 1-19, 23-32, 34-38, 40, 42-46 and 50-54 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Brooks (US 2003/0210139) in view of Gutta (US 2003/0040925).

Regarding claim 1, Brooks discloses an apparatus for the analysis (evaluation process 100, Fig 1) of at least one first agent-traveler interaction (at airline passenger luggage check-in counters where passengers check their luggage, as the interaction between the passengers check-in their luggage and agent/personnel member take the luggage are inherent in an action) and at least one second agent-traveler interactions (at airline passenger check-in counters where passengers receive tickets, boarding passes and/or seat assignments, as the interaction between the passengers check-in the counter and receive ticket/boarding passes and agent/personnel member issue ticket/boarding passes and assign a seat are inherent in an action), the apparatus comprising:

- an at least one first station (at airline passenger check-in counters where passengers first check their luggage) for capturing substantially the full audio,

video, and data (the video, which including audio and data, can be recorded 24 hours a day on a system, i.e. the station includes a camera, an audio transducer, and a scanner for data, see [0042]) of the at least one first agent-traveler interaction along a path of a traveler (at airline passenger luggage check-in counters where passengers check their luggage, as the interaction between the passengers check-in their luggage and agent/personnel member take the luggage are inherent in an action) ([0020], [0042], [0045], [0048], and [0050]);

- an at least one second station (it is noted that the passenger is checked again at airline passenger check-in counters or security gate where passengers receive tickets, boarding passes and/or seat assignments) for capturing substantially the full audio, video, and data (recorded 24 hours a day) of the at least one second agent-traveler interaction along the path of the traveler (at airline passenger check-in counters where passengers receive tickets, boarding passes and/or seat assignments, as the interaction between the passengers receive ticket/boarding passes and agent/personnel member issue ticket/boarding passes and assign a seat are inherent in an action), wherein the at least one second agent-traveler station (ticket counter) is located at a location other than the first agent-traveler station (luggage counter) ([0020], [0045], [0048]);
- and an analysis device (an analysis system 324) can analyze the information to identify the travel of predetermined persons ([0053]).

Brooks does not disclose an analysis device for comparing the audio, video, and data of the at least one first agent-traveler interaction with the audio, video, and data of the at least one second agent-traveler interaction to determine, based upon a predetermined rule, a discrepancy. However, Gutta discloses an analysis device (an event detection process 300, Fig 1) for comparing the images captured by the image capture devices 150 based upon a predetermined rule (the event detection process 300 analyzes the images obtained by the image capture devices 150 and detects a number of specific, yet exemplary, fraudulent events defined in the event database 200 [0017], further, the descriptors extracted upon entry to the store or changing area can be compared to descriptors extracted when the patron leaves the changing area; [0022]), a discrepancy (the event database 200 identifies the rule criteria in field 250; [0020], Gutta).

Thus, it would have been obvious to one of ordinary skill in the art to have included the event detection process and event database as taught by Gutta into Brooks' system, as each rule contains one or more conditions that must be satisfied in order for the rule to be triggered, and, optionally, a corresponding action-item that should be performed when the rule is satisfied, such as sending a notification to an employee, therefore increasing the security efficiency ([0007], Gutta).

Regarding claim 23, this claim differs from claim 1 only in that the claim 1 is an apparatus claim whereas claim 23 is a method. Thus the method claim 23 is analyzed and rejected as previously discussed with respect to claim 1 above.

Regarding claim 43, Brooks discloses all the subject matter as discussed in claim 23, except the recording the captured first and second audio, video, and data information; and

storing the recorded first and second audio, video, and data information on a storage device. Brooks discloses activity in the area is monitored (i.e. recorded) by security cameras ([0027]) and the data from the security sensors 240-256 can be stored in a data storage device 220 in the form of a data structure ([0035]). Thus claim 43 is analyzed and rejected as previously discussed with respect to claim 23 above.

Regarding claim 2, the limitations of claim 1 are taught above, Brooks does not disclose a control station for storing the at least one first and second interactions captured. However, Gutta discloses a control station (image archive database 175 of the event monitoring system 100, Fig 1) for storing the at least one first and second interactions captured (the images captured by the image capture devices 150 may be recorded and stored for evidentiary purposes, for example, in an image archive database 175; [0017]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to choose the database as taught by Gutta into Brooks' system, so as the images associated with a detected fraudulent event may optionally be recorded in the image archive database, therefore a time-stamp for evidentiary purposes during process is important for an efficient event monitoring system ([0033], Gutta).

Regarding claim 3, the limitations of claim 1 are taught above, Brooks does not disclose an alarm identifier device for identifying an alarm situation based on the comparing of the at least one second interaction with the at least one first interaction. However, Gutta discloses an alarm identifier device for identifying an alarm situation based on the comparing of the at least one second captured image with the at least one first captured image (if the descriptors



are significantly different, an alarm is sent to an employee for further investigation, this action inherently teaches there is an alarm identifier device; [0022], Gutta).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to choose the alarm identifier device as taught by Gutta into Brooks' system, so as to provide an efficient event monitoring system ([0033], Gutta).

Regarding claim 4, the limitations of claims 1 and 3 are taught above, Brooks does not disclose an alarm-generating device for generating an alarm associated with an alarm situation identified by the alarm identifier device. However, Gutta discloses an alarm-generating device for generating an alarm associated with an alarm situation identified by the alarm identifier device (if the descriptors are significantly different, an alarm is sent to an employee for further investigation, this action inherently teaches there is an alarm generating device; [0022], Gutta).

Regarding claim 5, the limitations of claim 1 are taught above, Brooks discloses a station poll data device (a central command and control station 218, Fig 2) for polling stations for the at least one first and second interactions (the security system 200, which includes a central command and control station 218, can provide for all the data gathering of information provided by various security sensors located throughout the facility; [0035], Brooks).

Regarding claim 6, the limitations of claim 1 are taught above, Brooks discloses a station transfer data device (a security management system 200, Fig 2) for managing data transferred from stations for the at least one first and second interactions (all the video information can be controlled to allow processing; [0045], Brooks).

Regarding claim 7, the limitations of claim 1 are taught above, Brooks discloses a database (a data storage device 220, Fig 2) for storing and retrieving the at least one first and second interactions (the data from the security sensors 240-256 can be stored in a data storage device 220 in the form of a data structure, such as a database; [0035], Brooks).

Regarding claim 8, the limitations of claim 1 are taught above, Brooks discloses a replay device (a repository computer) for replaying at the least one first or second interactions (repository computer can further be programmed to analyze and review the data as it is received; [0031], Brooks).

Regarding claim 9, the limitations of claim 1 are taught above, Brooks discloses an object tracking device (a surveillance analysis system 224, Fig 2) for tracking an object within the at least one first or second interactions (track the movements of all personnel and objects throughout the facility; [0044], Brooks).

Regarding claim 10, the limitations of claim 1 are taught above, Brooks discloses at least one first and second stations (luggage check-in counters and passenger check-in counters) comprise at least one video capturing device (a camera for capturing facial images), an at least one audio recording device (an audio transducer for capturing a person's speech data), an at least one data capture device (a retinal scanner for capturing retinal data) ([0042]). Brooks further discloses an at least one storage device (a data storage device 220, Fig 2, [0038]) and an at least one data retrieval device (a central command and control station 218, Fig 2, [0035], Brooks).

Regarding claim 11, the limitations of claim 1 are taught above, Brooks discloses at least one first station (luggage check-in counters) and second station (passenger check-in counters)

are located in the same transportation port (for example, in a smaller airport, the luggage check-in counters and the passenger check-in counters are located in the same terminal) ([0019], Brooks).

Regarding claim 12, the limitations of claim 1 are taught above, Brooks discloses at least one first station (luggage check-in counters) and second station (passenger check-in counters) are located in remote transportation ports (for example, in most larger airports, the passenger terminals, the airline ticket counters, the passenger security check points, the gates, and the passenger ramps onto the airplanes might be located in different or remote facilities and require the passengers to take the mobile transportation to reach) ([0020], Brooks).

Regarding claim 13, the limitations of claim 1 are taught above, Brooks discloses a second control room (a central command and control station 218, Fig 2, [0035]) for recording and storing the at least one first and second interactions (the security system 200 can provide for all the data gathering of information provided by various security sensors (240-256) located throughout the facility, as where the facility has multiple terminals, several command control stations 218, each capable of functioning independently of the other; [0035], Brooks).

Regarding claim 14, the limitations of claim 1 are taught above, Brooks discloses a local or remote operator for observing the operation of the apparatus (the security system 200 can provide for all the data gathering of information provided by various security sensors (240-256) located throughout the facility, as where the facility has multiple terminals, several command control stations 218, each capable of functioning independently of the other; [0035], Brooks).

Regarding claim 15, the limitations of claim 1 are taught above, Brooks discloses the control station comprises a recording and retrieval system (i.e. the command control stations 218 and the repository computer; [0031] and [0035], Brooks).

Regarding claim 16, the limitations of claim 1 are taught above, Brooks discloses the capturing is performed in real time to be analyzed upon capture (each computer can be connected to a wired or wireless network and adapted for transferring the data to a repository computer within the computer system in real time, [0031], Brooks).

Regarding claim 17, the limitations of claims 1 and 11 are taught above, Brooks discloses the transportation port is an airport (at the airport facility) ([0020], Brooks).

Regarding claim 18, the limitations of claim 1 are taught above, Brooks discloses the interaction is associated with a baggage item (monitoring or tracking luggage and parcels or other objects carried by passengers, as at airline passenger luggage check-in counters where passengers check their luggage, as the interaction between the passengers check-in their luggage and agent/personnel member take the luggage are inherent in an action; [0040], Brooks).

Regarding claim 19, the limitations of claim 1 are taught above, Brooks discloses at least one first and at least one second interactions (luggage check-in counters and passenger check-in counters) comprise a captured data, video and audio (a camera for capturing images and data for recognition processing, an audio transducer for capturing a person's speech data for use in speech recognition profiling, as the video can be recorded 24 hours a day [0042], [0045]) depicting the interaction between the agent and the traveler (the interaction between the passengers check-in their luggage and agent/personnel member take the luggage are

inherent in an action, and the interaction between the passengers check-in the counter and receive ticket/boarding passes and agent/personnel member issue ticket/boarding passes and assign a seat are also inherent in an action) ([0042], Brooks)

Regarding claim 24, the limitations of claim 23 are taught above, Brooks does not disclose the step of recording at a control station the audio, video, and data of the at least one first agent-traveler interaction and the audio, video, and data of the at least one second agent-traveler interaction captured. However, Gutta discloses recording at a control station (image archive database 175 of the event monitoring system 100, Fig 1) the first and second interactions captured (the images captured by the image capture devices 150 may be recorded and stored for evidentiary purposes, for example, in an image archive database 175; [0017]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to choose the database as taught by Gutta into Brooks' system, so as the images associated with a detected fraudulent event may optionally be recorded in the image archive database, therefore a time-stamp for evidentiary purposes during process is important for an efficient event monitoring system ([0033], Gutta).

Regarding claims 25, 26, 27, 28, 29, 30, 31 and 32, these claims recite same limitations as claims 2, 3, 4, 5, 7, 8, 9 and 10, respectively. Thus they are analyzed and rejected as previously discussed with respect to claims 2, 3, 4, 5, 7, 8, 9 and 10 above.

Regarding claims 34, 35, 36 and 37, these claims recite same limitations as claims 11, 12, 13, and 15, respectively. Thus they are analyzed and rejected as previously discussed with respect to claims 11, 12, 13, and 15 above.

Regarding claim 38, the limitations of claims 23 and 33 are taught above, Brooks does not disclose the step of analysis comprises comparing the at least first agent-traveler interaction or the at least second agent-traveler interaction to determine discrepancies between the at least first agent-traveler interaction or the at least second agent-traveler interaction. However, Gutta discloses the step of analysis comprises comparing the at least first captured image or the at least second captured image to determine discrepancies between the at least first captured image or the at least second captured image (the event detection process 300 analyzes the images obtained by the image capture devices 150 and detects a number of specific, yet exemplary, fraudulent events defined in the event database 200 [0017], further, the descriptors extracted upon entry to the store or changing area can be compared to descriptors extracted when the patron leaves the changing area based on the event database 200 identifies the rule criteria in field 250; [0020]-[0022], Gutta).

Thus, it would have been obvious to one of ordinary skill in the art to have included the event detection process and event database as taught by Gutta into Brooks' system, as each rule contains one or more conditions that must be satisfied in order for the rule to be triggered, and, optionally, a corresponding action-item that should be performed when the rule is satisfied, such as sending a notification to an supervisor, therefore increasing the security efficiency ([0007], Gutta).

Regarding claim 40, the limitations of claims 23 and 33 are taught above, Brooks discloses the step of analysis comprises analysis of the at least first or second interaction to determine whether the traveler is a security threat to other travelers (i.e. to determine suspect travel patterns and anticipate suspect activity) ([0053], Brooks).

Regarding claim 42, the limitations of claim 23 are taught above, Brooks discloses the step of transferring data from the at least one first or second stations to a server device (a security management system 200, Fig 2, as all the video information can be controlled to allow processing; [0045], Brooks).

Regarding claim 44, the limitations of claim 23 are taught above, Brooks discloses the first agent-traveler interaction (at airline passenger luggage check-in counters where passengers check their luggage, as the interaction between the passengers check-in their luggage and agent/personnel member take the luggage are inherent in an action) is of a different type from the second agent-traveler interaction (at airline passenger check-in counters where passengers receive tickets, boarding passes and/or seat assignments, as the interaction between the passengers check-in the counter and receive ticket/boarding passes and agent/personnel member issue ticket/boarding passes and assign a seat are inherent in an action) ([0020], [0048]-[0049], Brooks).

Regarding claim 45, the limitations of claim 23 are taught above, Brooks discloses one agent-traveler interaction is passenger screening (security check point; [0049]) and the other agent-traveler interaction is selected from the group consisting of ticket purchasing, baggage screening, check-in, passport control, and boarding (at airline passenger luggage check-in counters; [0048], Brooks).

Regarding claim 46, the limitations of claims 1 and 10 are taught above, Brooks discloses the data capture device is a screen capture device (the system includes a personal identification screening station where personal identification and attribute data and information from each person can be obtained, and the station can further include a booth or

enclosure having one or more security sensors including, but not limited to a fingerprint scanner for capturing fingerprint data, a camera for capturing facial images and data for facial recognition processing, an audio transducer for capturing a person's speech data for use in speech recognition profiling and a retinal scanner for capturing retinal data for use in retinal scanning identification; [0042], Brooks).

Regarding claim 50, the limitations of claim 23 are taught above, Brooks discloses a step of checking whether a luggage belonging to the traveler has changed (the facility includes sensor systems for monitoring or tracking luggage and parcels or other objects carried by passengers; [0040, Brooks).

Regarding claims 51 and 52, these claims recite same limitations as claims 44 and 45, respectively. Thus they are analyzed and rejected as previously discussed with respect to claims 44 and 45 above.

Regarding claim 53, the limitations of claims 23-24 are taught above, Brooks discloses the audio, video, and data of the at least one first agent-traveler interaction or the audio, video, and data of the at least one second agent-traveler interaction are recorded synchronously (this station can gather all this information in a relatively short period of time and possibly, some of the information simultaneously; [0042], Brooks).

Regarding claim 54, this claim recites same limitations as claim 46. Thus it is analyzed and rejected as previously discussed with respect to claim 46 above.

11. Claims 20-22, 33, 41 and 47 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Brooks (US 2003/0210139) in view of Gutta (US 2003/0040925), and further in view of Houvener (US 6,757,408).



Regarding claim 20, the limitations of claim 1 are taught above, Brooks in view of Gutta do not disclose a quality assurance device for analyzing the at least one first or second interaction for analyzing the quality of service provided to the traveler by the agent, the quality assurance device using an at least one evaluation form of the apparatus. However, Houvener discloses a quality assurance device (an interactive multi-media training module of the identity verification system) for analyzing the at least one first or second interaction for analyzing the quality of service provided to the traveler by the agent, the quality assurance device using an at least one evaluation form of the apparatus (provides high quality data capture and screening by leveraging the interaction between screening personnel, i.e. an agent and people being screened, i.e. a traveler) (col. 6, lines 5-12 and col. 8, lines 36-9:6, Houvener).

Thus, it would have been obvious to one of ordinary skill in the art to have included the interactive multi-media training module as taught by Houvener into Brooks and Gutta' system, as the combination permitting a large organization to assure that their field personnel are providing high quality customer service in a method that is considerably more efficient and effective than sending them to the field for auditing and training purpose (col. 8, lines 36-9:6, Houvener).

Regarding claim 21, the limitations of claims 1 and 20 are taught above, Brooks in view of Gutta do not disclose a quality assurance device alerts a supervisor where the quality of service provided by an agent fails to meet a predetermined standard. However, Houvener discloses the quality assurance device (an interactive multi-media training module of the identity verification system) alerts a supervisor where the quality of service provided by an

agent fails to meet a predetermined standard (immediately react to issue noted) (col. 6, lines 5-12 and col. 8, lines 36-9:6, Houvener).

Regarding claim 22, the limitations of claims 1 and 20 are taught above, Brooks in view of Gutta do not disclose the quality assurance device initiates a training session with an agent. However, Houvener discloses the quality assurance device (an interactive multi-media training module of the identity verification system) initiates a training session with an agent (the field personnel are prompted to participate in a training session at the next convenient time such as at the start of their next shift) (col. 8, lines 36-9:6, Houvener).

Regarding claim 33, this claim recites same limitations as claim 20. Thus it is analyzed and rejected as previously discussed with respect to claim 20 above.

Regarding claim 41, the limitations of claims 23 and 33 are taught above, Brooks in view of Gutta do not disclose the analysis of the at least second agent-traveler interaction or the at least one first agent-traveler interaction to determine if an agent is providing a quality of service at a predetermined level, using an at least one evaluation form of the apparatus. However, Houvener discloses the analysis of the at least second agent-traveler interaction or the at least one first agent-traveler interaction to determine if an agent is providing a quality of service at a predetermined level, using an at least one evaluation form of the apparatus (a wearable computer; col. 8, lines 36-61, Houvener).

Regarding claim 47, this claim recites same limitations as claim 20. Thus it is analyzed and rejected as previously discussed with respect to claim 20 above.

12. Claims 48 and 49 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Brooks in view of Gutta, and further in view of Eilbacher (US 6,724,887).

Regarding claim 48, the limitations of claims 23 and 47 are taught above, Brooks in view of Gutta do not disclose the analysis is spotting words said by the traveler. However, Eilbacher discloses the spotting words analysis technique (an analyzing unit 234 is a voice processing stress analyzer, in the case of word spotting, an analysis is performed on recorded audio such as a telephone call and the audio is automatically processed, searching for any key words on a predefined list which have been identified as cause for concern) (col. 11, lines 26-61, Eilbacher).

Thus, it would have been obvious to one of ordinary skill in the art to have included the spotting words analysis technique as taught by Eilbacher into Brooks and Brooks' system, as the word spotting analysis can be done separately, or in addition to the stress analysis, which might tend to indicate an suspected customer experience, as the analysis is spotting words said by the traveler (col. 11, lines 26-61, Eilbacher).

Regarding claim 49, the limitations of claims 23 and 47 are taught above, Brooks in view of Gutta do not disclose the analysis is stress detection of the traveler. However, Eilbacher discloses the stress detection and analysis technique (an analyzing unit 234 is a voice processing stress analyzer which can be used to perform the stress detection of the traveler) (col. 11, lines 26-61, Eilbacher).

13. Claims 55-56 and 58-59 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Brooks in view of Gutta, and further in view of O'Hara (US 2003/0058084).

Regarding claim 55, the limitations of claim 1 are taught above, Brooks in view of Gutta do not disclose the rule assesses a change in an item associated with said traveler. However, O'Hara discloses the rule assesses a change in an item associated with said traveler (traveler's

name or address) ([0025], O'Hara). Thus it would have been obvious to one of ordinary skill in the art to have included the method as taught by O'Hara into Brooks' system, as it enables the display of travel information in order to enable the ticket agent the ability to create a complete record of the person seeking passage on a carrier ([0025], O'Hara).

Regarding claim 56, the limitations of claim 1 are taught above, Brooks in view of Gutta do not disclose the rule assesses a disparity between an item carried by said traveler, and said traveler's destination. However, O'Hara discloses the rule assesses a disparity between an item carried by said traveler, and said traveler's destination (traveler's intended destination) ([0037], O'Hara).

Regarding claims 58 and 59, these claims recite same limitations as claims 55 and 56, respectively. Thus they are analyzed and rejected as previously discussed with respect to claims 55 and 56 above.

14. Claims 57 and 60 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Brooks in view of Gutta, and further in view of Ritter (US 7,084,736).

Regarding claim 57, the limitations of claim 1 are taught above, Brooks in view of Gutta do not disclose the rule assesses a change in said traveler's appearance. However, Ritter discloses the rule assesses a change in said traveler's appearance (traveler's outer appearance) (claim 1, Ritter). Thus it would have been obvious to one of ordinary skill in the art to have included the method as taught by Ritter into Brooks' system, as it enables the system to allow or deny the traveler access to the public transportation after said verifying and checking (claim 1, Ritter).

Regarding claim 60, this claim recites same limitations as claim 57. Thus it is analyzed and rejected as previously discussed with respect to claim 57 above.

### ***Conclusion***

15. **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

### ***Inquiries***

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kent Wang whose telephone number is 571-270-1703. The examiner can normally be reached on 8:00 A.M. - 5:30 PM (every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh Tran can be reached on 571-272-7564. The fax phone number for the organization where this application or proceeding is assigned is 571-270-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free)? If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

KW

06 Aug, 2010

/JOHN M. VILLECCO/  
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August 10, 2010